

## Message Text

CONFIDENTIAL

PAGE 01 PARIS 12414 170859Z  
ACTION IO-14

INFO OCT-01 CIAE-00 ICA-11 INR-10 NSAE-00 AID-05 EUR-12  
HA-05 ISO-00 /058 W  
-----044377 170915Z /10  
P R 170841Z APR 78  
FM AMEMBASSY PARIS  
TO SECSTATE WASHDC PRIORITY 0164  
INFO USMISSION GENEVA  
USMISSION USUN

C O N F I D E N T I A L PARIS 12414

NESCO

E.O. 11652: GDS  
TAGS: PORG, SHUM, UNESCO  
SUBJECT: UNESCO: DUMITRESCU

1. PERRENOUD (FRENCH), ACTING LEGAL ADVISER SAYS THERE IS NO PROBLEM IN GOING TO ICJ FOR ADVISORY OPINION, AND ROMANIAN RESERVATIONS TO CONVENTION ARE NOT CONTROLLING.

2. WHAT DOES CONTROL IS THE UNESCO CONSTITUTION, ON WHICH NO RESERVATIONS CAN BE ENTERED. ARTICLE TWELVE, LEGAL STATUS OF THE ORGANIZATION, AND NUMBERED PARAS. 2 AND 3 OF THE FOOTNOTE (PAGE 19 OF THE ENGLISH VERSION, MANUAL OF THE GENERAL CONFERENCE, 1977 EDITION) CLEARLY GIVES UNESCO AUTHORITY TO SEEK ADVISORY OPINION, REGARDLESS OF ROMANIAN RESERVATIONS TO OTHER DOCUMENTS.

3. PERRENOUD FURTHER SAID THAT ARTICLE FIVE, PARA. ELEVEN OF CONSTITUTION GOVERNS JURISDICTION. THIS ARTICLE READS "BETWEEN SESSIONS OF THE GENERAL CONFERENCE, THE EXECUTIVE BOARD MAY REQUEST ADVISORY OPINIONS FROM THE INTERNATIONAL COURT OF JUSTICE ON LEGAL QUESTIONS ARISING WITHIN THE FIELD OF THE  
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ORGANIZATION'S ACTIVITIES." THIS CONSTITUTES BLANKET AUTHORITY FOR THE EXECUTIVE BOARD TO ACT BETWEEN SESSIONS OF THE GENERAL CONFERENCE. HOWEVER, WHEN THE GENERAL CONFERENCE IS IN SESSION, IT SEEKS THE ADVISORY OPINION. THERE IS NO REPEAT NO PROVISION FOR THE EXECUTIVE BOARD'S RECOMMENDING TO THE GENERAL CONFERENCE THAT IT SEEK AN ADVISORY OPINION, AND IN PERRENOUD'S

VIEW, IT CANNOT DO THIS. EACH ORGAN HAS ITS OWN JURIS-  
DICTION.  
HEATER

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NNN

## Message Attributes

**Automatic Decaptioning:** X  
**Capture Date:** 01 jan 1994  
**Channel Indicators:** n/a  
**Current Classification:** UNCLASSIFIED  
**Concepts:** CONSTITUTION, INTERNATIONAL ORGANIZATIONS  
**Control Number:** n/a  
**Copy:** SINGLE  
**Draft Date:** 17 apr 1978  
**Decaption Date:** 01 jan 1960  
**Decaption Note:**  
**Disposition Action:** RELEASED  
**Disposition Approved on Date:**  
**Disposition Case Number:** n/a  
**Disposition Comment:** 25 YEAR REVIEW  
**Disposition Date:** 20 Mar 2014  
**Disposition Event:**  
**Disposition History:** n/a  
**Disposition Reason:**  
**Disposition Remarks:**  
**Document Number:** 1978PARIS12414  
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**Document Unique ID:** 00  
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**Enclosure:** n/a  
**Executive Order:** GS  
**Errors:** N/A  
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**Review Markings:**  
Sheryl P. Walter  
Declassified/Released  
US Department of State  
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**Markings:** Sheryl P. Walter Declassified/Released US Department of State EO Systematic Review 20 Mar 2014